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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 ROBERT LUMPKIN,

9 Plaintiff,

10 v.

11 MAIL ROOM CLERKS et al.,

12 Defendants.

CASE NO. C17-1644 RAJ-BAT

**ORDER DENYING MOTION FOR
SUMMARY JUDGMENT IN PART
AND GRANTING IN PART**

13 The Court, having reviewed the papers filed in support of and in opposition to
14 defendants' motion for summary judgment, the Report and Recommendation of United States
15 Magistrate Judge Brian A. Tsuchida, and the remaining record, **ORDERS:**

- 16 1. The Report and Recommendation is **ADOPTED**;
17 2. Defendants' motion for summary judgment (Dkt 43) is **GRANTED** as to defendant
18 Nicholas and **DENIED** as to defendants Sigh, Yanes and Acheampong.
3. Plaintiff's claims against defendant Nicholas are **DISMISSED without prejudice.**

DATED this 29th day of August, 2018.

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22 The Honorable Richard A. Jones
23 United States District Judge